

## Inquest into the death of Stephen Ross Brown

Stephen Ross Brown died on 27 August 2014 whilst employed as a truck driver. On the day of his death, his truck suffered mechanical failure and left the road. His injuries were considered survivable but he died from a pulmonary embolism whilst in surgery.

Deputy State Coroner John Lock delivered his findings of inquest on 27 March 2018.

The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating to the implementation of recommendations can be obtained from the responsible minister named in the response.

### Recommendation 1

The National Heavy Vehicle Regulator and Department of Transport and Main Roads consider if there should be enhanced education and guidelines to ensure persons performing heavy vehicle inspections are aware of the risks involved in not having clean components when they perform a visual check.

Response and action: the recommendation is implemented.

Responsible agency: Department of Transport and Main Roads.

On 26 February 2019 the Minister for Transport and Main Roads responded:

The National Heavy Vehicle Regulator has carriage of the National Heavy Vehicle Accreditation Scheme including the heavy vehicle maintenance component. The accreditation scheme is an alternative compliance scheme set up for operators who have robust safety and other management systems in place to maintain their vehicles and ensuring that they are always in good mechanical condition. Operators participating in the maintenance management module are exempt from the requirement of supplying a certificate of inspection. The vehicle in question was managed under this maintenance management module.

The National Heavy Vehicle Regulator published a [safety bulletin](#) on its website about the requirement to clean vehicles' components prior to inspection.

The Department of Transport and Main Roads carefully considered the coroner's recommendation. Only vehicles over 16 tonnes gross vehicle mass are required to be inspected by departmental inspectors that are not under the maintenance management module. The department's inspection centres have sophisticated testing equipment that includes roller brake and suspension play testing equipment to assist in the inspection process.

In March 2013, the Department of Transport and Main Roads introduced a policy which enabled the department's vehicle inspectors to cancel a vehicle inspection if the inspector determined they could not adequately view a vehicle's components, or structures due to excessive grime, excessive lubrication, and contamination such as road kill or chemical spill. The policy forms part of initial training of the department's inspectors and is included in the department's transport compliance reference material, accessible via both desktop and mobile tablet.

A certificate of inspection reminder notice is sent to registered operators by the Department of Transport and Main Roads, advising them that a vehicle's 12 monthly inspection is due, reminding operators of the requirement to present the vehicle to an inspection centre (Department of

Transport and Main Roads or approved inspection centre) unladen and in a clean state (i.e. free of grease, oil, mud and dirt on both upper and under body components).

The Department of Transport and Main Roads considers that these existing processes are suitable to ensure that TMR Inspectors are not inappropriately inspecting vehicles.

#### **Recommendation 2**

The process of revising the current memorandum of understanding between the Queensland Police Service and Workplace Health and Safety Queensland includes a process for the notification of heavy vehicle incidents to the National Heavy Vehicle Regulator.

Response and action: the recommendation is implemented.

Responsible agency: Department of Transport and Main Roads (lead) supported by the Department of Education (Office of Industrial Relations) and the Queensland Police Service.

#### **On 20 December 2018 the Minister for Transport and Main Roads and the Minister for Education and Minister for Industrial Relations and the Minister for Police and Minister for Corrective Services responded:**

The memorandum of understanding (MOU) between the Office of Industrial Relations and the Queensland Police Service and the Department of Transport and Main Roads deals with vehicle incidents on roads including heavy vehicle incidents. The coroner's recommendation is included in the current work on the review of the tripartite MOU.

Amendments to the MOU between the Department of Transport and Main Roads, the Office of Industrial Relations and the Queensland Police Service are to be agreed and finalised.

#### **On 2 May 2019 the Minister for Transport and Main Roads and the Minister for Education and Minister for Industrial Relations and the Minister for Police and Minister for Corrective Services responded:**

A new MOU between the Office of Industrial Relations, the Queensland Police Service and the Department of Transport and Main Roads is complete.

The MOU builds and maintains professional relationships between the agencies; clarifies specific working arrangements between the agencies in relation to the attendance, investigation and reporting of traffic incidents; ensures a thorough investigation of the incident is conducted; and ensures coroners are informed of the extent of each agency's investigation into a reportable death.

Part 3 of the MOU includes a process for notification of serious incidents involving a heavy vehicle under the Heavy Vehicle National Law to the National Heavy Vehicle Regulator by the Queensland Police Service.

The MOU is published on [here](#).